

REMARKS

Claims 1-7, 9-12, 14-19, 21-31, and 32-38 are pending in this application. Claims 12, 14-19, 21-30, 33 and 34 are allowed. Claims 35-38 are rejected. Claims 1-7 and 9-11 are allowed subject to objection. Claims 1-7 and 35 are currently amended.

Claim 1 was subject to objection because of an informality which is now corrected. Claim 31 is listed in this amendment, as requested by the Examiner.

Claims 1-7 and 9-11 are rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. With regard to independent claim 1 and the associated dependent claims, the Examiner asserts that the claims are directed to software that is not tangibly embodied. As currently amended the claims recite a computer readable medium. The Examiner also indicates that there is intrinsic evidence in the specification that the software object or instructions can be transmitted via signals. It is Applicant's understanding that this is true of essentially all software. Further, claims 1-7 and 9-11 cannot reasonably be interpreted as "carrier-wave" claims. Withdrawal of the rejection is therefore requested.

Claims 35-38 are rejected under 35 U.S.C. 102(e) as being anticipated by US6,366,563 (Weldon). Claim 35 as currently amended recites the same distinguishing limitations indicated to be allowable over the prior art with regard to claims 1 and 12. Withdrawal of the rejections is therefore requested.

Applicants previously made a diligent effort to place the claims in condition for allowance, and have explained in the response how the claims distinguish the cited references. Should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned, Applicants' Attorney at 978-264-6664 so that such issues may be resolved as expeditiously as possible. For the reasons stated above, this

application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

April 23, 2008
Date

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Docket No. 120-178
Dd: 3/31/2008